IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

Bail Appl..No. 7605 of 2007()

CRIME NO.279/07 OF KODAKARA POLICE STATION

.....

PETITIONER/ACCUSED

DEVASSYKUTTY,S/O. KUNJIPALLE,
PACHANKULAM VEETTIL, KALVARIKUNNU DESOM,
ALOOR VILLAGE.

BY ADV. SRI.M.SHAJU PURUSHOTHAMAN
SRI.K.S.RAJESH

RESPONDENTS: COMPLAINANT

STATE REPRESSENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
REPRESENTING THE SUB INSPECTOR,KODAKARA POLICE
STATION.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 7605 of 2007

Dated this the 10th day of December, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 105 litres of arrack on 12/7/2007 and he was arrested on 19/10/07. He continues in custody from that date. The petitioner has one other crime also registered under the Kerala Abkari Act, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner, who has been remaining in custody from 19/10/07, can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the

following terms and conditions:

(i) The petitioner shall execute a bond for Rs.75,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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